TO: Professors Andrea Armstrong and Nishi Kumar FROM: Erin Sellberg RE: "Better Know a Jail" Memo DATE: November 28, 2023

Bogalusa City Jail

Introduction

Washington Parish is one of sixty-four parishes in Louisiana, which are analogous to counties in other states.¹ It is named after former U.S. President George Washington.² Washington Parish spans about 676 square miles and has a 2022 estimated population of 45,025.³ The Parish is comprised of four incorporated areas: the city of Bogalusa, the town of Franklinton, and the villages of Angie and Varnado.⁴ It also includes the unincorporated community of Mount Hermon.⁵ The city of Bogalusa was incorporated in the year 1914, making it one of the youngest cities in Louisiana.⁶ It was founded by Frank Henry Goodyear and Charles Waterhouse Goodyear, lumber tycoons hailing from Buffalo, New York.⁷ Bogalusa is a rural city, and there is a population of about 11,000.⁸ The demographic composition of the city of Bogalusa consists of about 51% white residents and 45% Black residents.⁹ Over a 3rd (about 35%¹⁰) of Bogalusans live below the poverty line.¹¹ The city itself is currently struggling with financial decline, and are experiencing staggering rates of gun violence and homicide (according to 2022 data).¹² The Bogalusa City Jail was established in 1985, and it houses a maximum of 36 prisoners for mainly misdemeanor offenses.¹³ It belongs to the Corrections Division of the Bogalusa Police Department, and is under the supervision of Chief Kendall Bullen.¹⁴

Jail Characteristics

Bogalusa City Jail is a short-term facility that mainly houses detainees with short sentences (misdemeanor sentences) as well as those awaiting trial.¹⁵ The jail is located at 111 Memphis St., Bogalusa, LA 70427.¹⁶ The Bogalusa Police Department oversees operations at

¹ <u>https://www.louisiana.gov/local-</u>

louisiana/#:~:text=The%20state%20of%20Louisiana%20is,learn%20more%20about%20each%20parish.

² https://www.louisiana.gov/local-louisiana/washington-parish

³ <u>https://www.census.gov/quickfacts/fact/table/washingtonparishlouisiana,la/PST045218</u>

⁴ <u>https://www.louisiana.gov/local-louisiana/washington-parish</u>

⁵ Id.

⁶ <u>https://www.lib.lsu.edu/collections/digital/dlnp/newspaper-histories/Bogalusa-</u>

Enterprise#:~:text=Incorporated%20in%201914%2C%20Bogalusa%20is,barons%20of%20Buffalo%2C%20New%20York.

⁷ Id.

⁸ <u>https://alawyerhelp.com/bogalusa-louisiana-mayor-elect-tyrin-truong-declares-war-on-police-chief-kendall-bullen/</u> ⁹ *Id.*

¹⁰ <u>https://www.splcenter.org/news/2017/09/06/splc-bogalusa-city-court-reach-settlement-debtors%E2%80%99-prison-case</u>

¹¹ <u>https://alawyerhelp.com/bogalusa-louisiana-mayor-elect-tyrin-truong-declares-war-on-police-chief-kendall-</u> <u>bullen/</u>

¹² Id.

¹³ <u>https://www.bogalusa.org/government/corrections_division.php</u>

¹⁴ https://webgen1.revize.com/revize/bogalusala/government/police.php

¹⁵ https://sthelenaso.org/louisiana/police-department/bogalusa-police-department/

¹⁶ <u>https://www.bogalusa.org/</u>

Bogalusa City Jail and is responsible for providing information to the city of Bogalusa about inmates currently housed in the jail.¹⁷ The Bogalusa Police Department website states that their "detainee records contain the inmate's name, age, race, hair color, release date, and booking date."¹⁸ In addition, it states that you can gain access to the Bogalusa City Jail inmate list by phone number at 985-732-3611.¹⁹ The Bogalusa jail roster lists the following for each Bogalusa offender: Their "personal data, [the] detainee's charges, [their] court date and location, [their] book and case number, [their] release date, [and their] bail amounts."²⁰ As stated previously, Bogalusa City Jail is designed to house a maximum of 36 prisoners.²¹ Currently, there is a total of four (4) Louisiana Department of Corrections inmates in Bogalusa City Jail.²² Current demographics show that one (25%) DOC inmate is white, while the other three (75%) DOC inmates are Black.²³ This means that there are four individuals serving state time in the local Bogalusa City Jail on behalf of the Louisiana DOC, instead of within a state operated prison.²⁴ In other words, this does not reflect the total population in Bogalusa City Jail, but instead represents the total DOC population within the local jail.²⁵ In fact, more than half of Louisiana's state inmates are housed in parish jails throughout the state of Louisiana due to a lack of space in state prisons.²⁶ In return, parish sheriffs receive a per diem of approximately \$25/day for each DOC inmate they house in their parish jail.²⁷ The Bogalusa Police Department's Jail Roster can be found at http://bogalusa.lavns.org/roster.aspx.²⁸ As of November 26th, 2023, this live jail database indicates that there are 25 total inmates housed in Bogalusa City Jail.²⁹ Of these 25 people in custody, 11 are women.³⁰ Of these 11 women, 8 are white and 3 are Black.³¹ There are currently 14 men in custody.³² Of these 14 men, 6 are white and 8 are Black.³³ One individual in custody was arrested and sentenced in 2022, while the rest of the people in custody were arrested and subsequently sentenced in 2023.³⁴ Thus, it is currently accurate that the people in custody at Bogalusa City Jail are being held short-term.³⁵

Visitation is held on Thursdays from 2pm - 4pm.³⁶ Individuals visiting a person in custody are not allowed to wear tank tops, tube tops, or halter tops; shorts or short skirts; nor

¹⁷ https://sthelenaso.org/louisiana/police-department/bogalusa-police-department/

¹⁸ https://sthelenaso.org/louisiana/police-department/bogalusa-police-

department/#:~:text=The%20Bogalusa%20records%20are%20stored.at%20985%2D732%2D3611.

¹⁹ *Id*. 20 *Id*.

²¹ https://www.bogalusa.org/government/corrections division.php

https://docs.google.com/spreadsheets/d/1ULxin4TY1EX4T79OPA2XXk93S4qq6OnuVSMFa95iFD8/edit#gid=131 9225265

²³ Id.

²⁴ Id.

²⁵ Id.

²⁶ Id. ²⁷ Id.

²⁸ http://bogalusa.lavns.org/roster.aspx

²⁹ Id.

³⁰ Id. ³¹ Id.

³² Id.

³³ Id.

³⁴ Id.

³⁵ Id

³⁶ https://www.bogalusa.org/government/jail_visitation.php

may they carry their purses or cell phones with them upon entrance to the jail.³⁷ It is stated on the Jail Visitation page that "anyone wearing revealing clothing will not be allowed to visit at the discretion of the corrections officer."³⁸ When it comes to an individual's personal items, all items are required to be brought to Bogalusa City Jail within 7 days of the start of that individual's incarceration.³⁹ A list of allowable personal items to be admitted with the individual in custody are: a "Bible (1); books (3) (no hard backs); shoes (no strings) (1 pair); shower shoes (1 pair); envelopes (1 box); writing paper (1 pack); socks (3 pairs); t-shirts/without pockets (3) (no tank tops); underwear (3) (briefs or boxers); and long underwear (top and bottom) (1 pair)."⁴⁰ All toiletries are provided by Bogalusa City Jail, and any other additional items besides the personal items listed must be approved by either the warden or a corrections officer.⁴¹

Public Records Requests and Inmate Mortality

The Bogalusa City Police Department does not have simple access to a Public Records Request form, nor do they specify the point of contact for this form.⁴² However, based on helpful tips provided by prior students in this Incarceration course, I was able to utilize a PRR template and then go on to specifically cater my request to the parish facilities I was assigned for the course. In addition, I knew to submit my Public Records Request directly to the Bogalusa City Jail Warden Secretary, Wendy K. Stogner. It was a little difficult to reach the correct point of contact at first, because prior requests made by former students had been sent to the now-retired warden secretary employed before Wendy Stogner. Thus, I had to do a little digging before getting into contact with Wendy. I had to call and then get transferred to her office to ask for the best way to submit Public Records Requests. She then had me email my PRR request to her and filled it out from there.

Based on the CJ-9's provided from the facility, from the years 2014-2019, there has only been one death reported in Bogalusa City Jail, and it was in the year 2015.⁴³ On July 9, 2015, 41-year-old Gregory Rambach died in his cell due to a perforated intestine.⁴⁴ He was a pretrial detainee, and had only been in Bogalusa City Jail for 3 days before his death.⁴⁵

However, after fact-checking the in-custody deaths of the facilities I was assigned through my searches on LexisNexis, Westlaw, Docketbird, and local and national news sites, I found that on July 24th, 2022, an unnamed female inmate in custody at Bogalusa City Jail was found unresponsive in her cell.⁴⁶ The individual was found around 10 am that morning, and according to the police chief, they believe her death was due to some type of medical issue.⁴⁷ I found this information from the news source Fox 8 Local First, and despite further digging I could not find any other information about the individual's death.⁴⁸ The article ended by stating that there were no further details available at the time, and that investigation was still ongoing at

⁴⁷ Id.
⁴⁸ Id.

³⁷ Id.

³⁸ Id.

³⁹ Id.

⁴⁰ *Id*.

⁴¹ *Id*.

⁴² <u>https://sthelenaso.org/louisiana/police-department/bogalusa-police-</u>

department/#:~:text=The%20Bogalusa%20records%20are%20stored,at%20985%2D732%2D3611. ⁴³ https://www.incarcerationtransparency.org/la-prison-deaths/washington/

⁴³ <u>https://www.incarcerationtransparency.org/la-prison-deaths/washington/</u>

⁴⁴ *Id*.

⁴⁵ *Id.*

⁴⁶ <u>https://www.fox8live.com/2022/07/24/inmate-dies-bogalusa-jail-death-under-investigation/</u>

the time of the news press release.⁴⁹ When checking the Incarceration Transparency website, as well as the prior assigned Loyola student's recorded correspondence with Bogalusa City Jail, it appears that the jail was unwilling to release any information about the death, as they stated that it was still an ongoing investigation. However, through my additional searches, I also found that a female inmate by the name of Judy Ann Martinez was arrested and booked into Bogalusa City Jail on May 8, 2022, but on May 13, 2022, she had committed suicide in her cell.⁵⁰ The only information I could find online was that of the obituary created by her family, and I found no news reports releasing any information about her death. The information I could find was released to last year's Loyola student through a PRR request, and the information contained a brief inmate suicide form explaining little about the details of Judy's death.

Thus, my research has informed me that there have been 3 deaths since the year 2014, even though only one death has been recorded on the Incarceration Transparency website. Two of those three deaths were women, and at least one of those women (Judy) was a white woman in her forties. Gregory Rambach was a white man, and was also in his forties, so at least two decedents were white and, in their forties, when they passed. In addition, from the information I could obtain about the inmate and/or detainee deaths, I found that both Gregory and Judy's deaths occurred very early in detention; as they both occurred in less than a week of arriving at Bogalusa City Jail. Overall, I found that my experience with Wendy Stogner (the warden secretary), and the rest of the Bogalusa Police Department, was a positive one. However, their timeliness in getting me the public records I had requested left a lot to be desired. I did find that exercising a plethora of patience got me the information I needed and made the experience a positive one in the end.

Jail Leadership, Responsibilities, and Oversight

The current mayor of Bogalusa is Tyrin Z. Truong.⁵¹ Mayor Truong was born in Mandeville and raised in Bogalusa and went on to attend Washington University in St. Louis.⁵² He was elected to the position in November 2022.⁵³ He is 23 years old, making him the youngest mayor ever in Bogalusa, Louisiana.⁵⁴ It was his first time running in a real election (aside from winning his student body president election at Washington University, and he defeated the sitting Mayor Wendy Perrette,⁵⁵ the two-term Republican incumbent.⁵⁶

On December 6, 2016, long-time Bogalusa police officer Kendall Bullen was appointed to the position of Police Chief by then Mayor Wendy Perrette and approved by a majority vote of the Bogalusa City Council.⁵⁷ Chief Kendall Bullen is the current Police Chief of Bogalusa and he and the rest of the Police Department are responsible for overseeing the Corrections Division of Bogalusa City Jail.⁵⁸

⁴⁹ Id.

⁵⁰ https://www.brownmcgehee.com/obituaries/Judy-Martinez-4/#!/TributeWall

⁵¹ https://lailluminator.com/2023/04/30/bogalusas-voungest-mayor-confronts-vouth-crime-problem/

⁵² Id.

⁵³ Id.

⁵⁴ Id.

⁵⁵ https://www.wdsu.com/article/23-year-old-becomes-mayor-elect-of-bogalusa-beats-out-incumbent-wendyperrette/41917160#:~:text=BOGALUSA%2C%20La.%20%E2%80%94&text=town%20of%20Bogalusa.-

A%20newcomer%20won%20the%20mayoral%20race.,ready%20to%20get%20to%20work.

⁵⁶ https://www.fox8live.com/video/2022/11/09/democrat-tyrin-truong-defeats-two-term-republican-bogalusa-mayorwendy-perrette/ ⁵⁷ https://www.mthermonwebtv.com/2016/12/kendall-bullen-selected-next-bogalusa.html?m=0</sup>

⁵⁸ Id.

However, the election of Police Chief Kendall Bullen was the eventual result of a lengthy and extremely controversial city council meeting.⁵⁹ There was "considerable concern among some members of the African American community concerning allegations of a 'good ol' boy' system and of police brutality stemming from the Sept. 1, 2001, arrest of Johnny Lee Johnson."⁶⁰ Not long after Johnson's arrest, his family members came forward and alleged that Bullen struck Johnson in the head with his flashlight, causing extensive injuries to Johnson.⁶¹ Johnson died in 2015, and even though his family brought a civil suit, it was ultimately settled out of court and there was no finding of guilt when it came to Officer Bullen.⁶² At the time, Bullen denied the allegations.⁶³ There is further controversy as to whether it was an accident or not, but the allegations could be proven at the city council meeting.⁶⁴ Either way, this controversy was not enough to keep Bullen from becoming Police Chief.⁶⁵

On the City of Bogalusa website under the Corrections Division page, it states that the officers assigned to monitor the jail are tasked with monitoring the surveillance cameras in the jail and around the entire complex at all times.⁶⁶ The page further states that correctional officers are certified in Peace Officer Standards and Training (P.O.S.T.).⁶⁷ It is listed that correctional officers are tasked with searching inmates, obtaining information for booking forms, dispensing food and other necessities to inmates, collecting and storing inmates' property, collecting bonds, and coordinating visitation of inmates.⁶⁸ Corrections officers may also fingerprint inmates electronically by utilizing a computer program called the Automated Fingerprint Identification System (A.F.I.S.).⁶⁹ Each individual in custody will place their hands on a screen, and it scans their fingerprints.⁷⁰

I was able to locate the most recent public report on the primary government basic financial statements, independent auditor's reports, and other supplemental information for the City of Bogalusa, Louisiana ending on December 31st, 2021.⁷¹ The funds for Bogalusa City Jail were listed under Special Revenue, and I was able to find a summary of authorized sales taxes for jail operations.⁷² Basically, an indefinite .33% of an allotted total 3.33% tax is dedicated to paying for jail operations.⁷³ In other words, the "Jail Operations Sales Tax accounts for the receipt of one-third of one percent (1/3%) sales tax and use tax dedicated for improvements maintenance and operation of the City Jail, including, but not limited to, the construction of additions to or expansions of the existing Bogalusa City Jail and for purchasing, maintaining and

⁷³ Id.

⁵⁹ https://www.bogalusadailynews.com/2016/12/07/bullen-elected-police-chief/

 $^{^{60}}$ *Id*.

⁶¹ Id. 62 Id

⁶³ https://alawyerhelp.com/bogalusa-louisiana-mayor-elect-tyrin-truong-declares-war-on-police-chief-kendallbullen/

⁶⁴ https://www.bogalusadailynews.com/2016/12/07/bullen-elected-police-chief/

⁶⁵ Id.

⁶⁶ <u>https://www.bogalusa.org</u>/government/corrections division.php

⁶⁷ Id.

⁶⁸ Id. ⁶⁹ Id.

⁷⁰ Id.

⁷¹ https://app.lla.la.gov/publicreports.nsf/0/dbc061f326ac22498625887e0054730f/\$file/0002754c.pdf

 $^{^{72}}$ Id

operating related equipment."⁷⁴ At the end of the year on December 31st, 2021, the total Jail Operations Sales Tax Fund balance was \$126,269.75

The Bogalusa City Court is currently funded by a budgeting process that is overseen by the Bogalusa City Council.⁷⁶ In addition, when it comes to the oversight of Bogalusa City Jail, it is stated on Bogalusa's City Council page that "the council shall provide for an annual independent post-audit, and such additional audits as it deems necessary, of the accounts and other evidence of financial transactions of the city."77 The audit will then be submitted to the council at one of its regularly scheduled city council meetings, and will thus become a public record.⁷⁸ In addition, "a summary of the audit will be published at least once in the official journal."⁷⁹ It is also stated that the city council may accept audits by the state of Louisiana as well.⁸⁰ Any investigations into any of the operations of the city may take place when there is a two-thirds majority vote made by the Bogalusa City Council authorized members.⁸¹

When it comes to general briefings made to the public on jail operations and other news, it appears that this would usually take place during Bogalusa City Council meetings, which are held on the first and third Tuesday of each month at 5:30 p.m. in the courtroom at City Hall.⁸² When looking at the minutes for the City Council meetings, it does not appear that hearings reporting on jail operations is a regular occurrence; instead it appears that these hearings take place more sporadically (maybe yearly, if at all).⁸³ Something to note in regards to oversight is that around September 7, 2017, "under a settlement with the Southern Poverty Law Center, the city court in Bogalusa, Louisiana [was ordered to] stop jailing indigent defendants for failing to pay court debt – one of the several reforms designed to ensure fairness for all people appearing before the court."⁸⁴ The SPLC filed the lawsuit in 2016 against the Bogalusa city court for "operating what amounted to a modern-day debtor's prison and for funding the court through fees levied against individuals found guilty. It described how the fees created an incentive for the judge to find people guilty and coerce payment through the threat of jail."⁸⁵ Debtor's prisons have been outlawed for about 200 years.⁸⁶ In the U.S., an individual's failure to pay a fine may at times result in jail time, but the law requires a judge to first determine whether each individual actually has the means to pay, or is "willfully" refusing.⁸⁷ Post settlement, Bogalusa City Court decided to implement the following: The court will make findings on the record to determine whether an individual is indigent at sentencing; they will also clearly make a finding in each

⁷⁴ Id.

⁷⁵ Id

 78 Id

- ⁷⁹ Id.
- ⁸⁰ Id.

⁸¹ Id. 82

⁸³ Id.

⁸⁵ Id.

⁸⁷ Id.

⁷⁶ https://www.splcenter.org/news/2017/09/06/splc-bogalusa-city-court-reach-settlement-debtors%E2%80%99prison-case ⁷⁷ https://www.bogalusa.org/government/city_council.php

https://www.bogalusa.org/government/city_council.php#:~:text=The%20City%20Council%20meets%20the.the%20 courtroom%20at%20City%20Hall.

⁸⁴ https://www.splcenter.org/news/2017/09/06/splc-bogalusa-city-court-reach-settlement-debtors%E2%80%99prison-case

⁸⁶ Id.

individual circumstance whether failing to pay was willful or not, before making any sentencing decisions hinged on an individual's inability to pay; individuals who have missed a prior court date will now have the opportunity to clear their warrants and appear in front of the court; individuals unable to pay any fines or court costs will now have the option to enter into a payment plan or community service; and the city court now must transfer the money it previously collected in an unlawful manner to pay expenses directly to the city of Bogalusa.⁸⁸ The SPLC went on to state that "these settlement's reforms are consistent with broader reforms across the country."⁸⁹

News Coverage and Transparency

As stated above, Police Chief Kendall Bullen came under heavy fire during his election at the city council meeting in 2016, because he faced a civil suit and several racist allegations after hitting Johnny Lee Johnson over the head with a flashlight. However, he has recently come under even more scrutiny. In fact, "six years later, seismic political change has come to the city – and with it, indicators of a police reckoning."⁹⁰ Bogalusa has historically been "the epicenter of… historic and modern civil rights battles and… [is even] nicknamed 'Klantown U.S.A.'"; thus they shocked the consciousness in November 2022 when they elected 23-year-old Black Gen Z Mayor Tyrin Truong.⁹¹

On November 26th, 2022, Mayor Truong called for Police Chief Kendall Bullen to resign in the wake of a federal civil rights lawsuit filed that previous Tuesday by the family of 28-yearold Eric L. Nelson, who died on December 19th, of 2021.92 Truong stated that the reign of Bullen as police chief "has been marred with callousness, incompetence and a lack of transparency."93 Eric L Nelson had literally just gotten into a car accident that fateful day last December, but was instead arrested by officers of the Washington Parish Sheriff's Office after they discovered he had open narcotics arrest warrants.⁹⁴ The officers took him home to allow him to change his shoes before being transported to Bogalusa City Jail.⁹⁵ He attempted to escape, but was caught and tasered by the officers.⁹⁶ As they were transporting him to the jail, he complained of breathing difficulties after being tasered; and then "video evidence taken from [the] police station surveillance camera show[ed] 'a clearly unconscious and dying Eric Nelson [being] dragged from the passenger seats' of a Bogalusa police vehicle... [and] left untreated for five minutes before an EMS van arrived on scene to take Nelson for treatment at [the] hospital, where he later died." ⁹⁷ The officers stood around and did nothing during that 5-minute period, as Nelson literally was just lying there dying on the pavement.⁹⁸ The video footage even revealed that the officers allowed an unconscious Nelson to hit his head on the pavement when they were

⁹³ Id.

 96 Id.

⁹⁷ Id.

⁹⁸ Id.

⁸⁸ Id.

⁸⁹ Id.

⁹⁰ <u>https://alawyerhelp.com/bogalusa-louisiana-mayor-elect-tyrin-truong-declares-war-on-police-chief-kendall-bullen/</u>

⁹¹ Id.

⁹² <u>https://alawyerhelp.com/bogalusa-louisiana-mayor-elect-tyrin-truong-declares-war-on-police-chief-kendall-bullen/</u>

⁹⁴ Id. ⁹⁵ Id.

dragging him out of the vehicle.⁹⁹ The combination of Nelson's physical injuries from the accident as well as his tasing by the officers through a blatant show of excessive force, ultimately caused his wrongful and tragic death.¹⁰⁰ It was also reported that the officers initially tried to cover everything up before being caught.¹⁰¹

⁹⁹ Id. ¹⁰⁰ Id. ¹⁰¹ Id.